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EXAMINER

MAHMOUDI, HASSAN

ART UNIT	PAPER NUMBER
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2165

DATE MAILED: 12/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/809,498	Applicant(s) MEIFU ET AL.	
	Examiner Tony Mahmoudi	Art Unit 2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 11 and 15-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 15 is/are allowed.
- 6) ☒ Claim(s) 1-9, 11, 16-19 and 26-32 is/are rejected.
- 7) ☒ Claim(s) 20-25 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/13/05, 11/29/05</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Remarks

1. In response to communications filed on 29-September-2005, claims 10 and 12-14 are cancelled, claims 1-3, 5, 9, 15-20, and 31 are amended, and new claim 32 is added per applicant's request. Therefore, claims 1-9, 11, and 15-32 are presently pending in the application, of which, claims 1-3, 5, 11, 15-17, 19, 27, and 30 are presented in independent form.

Claim Objections

2. Claims 11 and 17-18 are objected to because of the following informalities:

In claim 11, line 10, the word "spatial" occurs twice consecutively. Correction is required.

In claim 17, the colon (:) needs to be moved to the end of the preamble, following the phrase "said server comprising".

Claim 18 is objected to because it depends from the objected to independent claim 17. Correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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4. Claims 31-32 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 31 recites the limitation “wherein said piece of spatial range information, which specifies a spatial range in a two-dimensional space.”

Claim 32 recites the limitation “wherein said piece of spatial range information, which specifies a spatial range in a three-dimensional space.”

In reading the above claims, it appears that the claim sentence is incomplete. Either a limitation needs to follow the phrase “space”, or the phrase, “which”, needs to be deleted from the above claims. Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-6, 9, 11, 16-19, and 26-32 are rejected under 35 U.S.C. 102(e) as being anticipated by Maruyama et al. (U.S. Patent No. 6,748,317 B2).

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As to claim 1, Maruyama et al teaches a server for use in a system which provides information to a user terminal (see figure 9, references 61, 64, 65, and 67; and see column 9, lines 17-28), said server comprising:

- a database for retaining a plurality of pieces of bubble data (see figure 9, reference 67c), each of the bubble data pieces including:

- a piece of spatial range information, which specifies a spatial range in a space (see column 2, line 62 through column 3, line 4), and

- a piece of retrieval information, which is associated with the spatial range information piece and is linked to a piece of service information (see column 2, lines 51-61);

- an extracting section, responsive to a piece of positional information transmitted from the user terminal, for retrieving from said database a spatial range information piece whose spatial range includes a position that accords with the positional information piece, and extracting a retrieval information piece associated with the retrieved spatial range information piece from said database (see column 2, line 62 through column 3, line 4); and

- a providing section for providing the user terminal with a service information piece linked with the retrieval information extracted by said extracting section (see column 3, lines 23-26; and see claim 1, where “providing section” is read on “display”.)

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As to claim 2, Maruyama et al teaches a server for use in a system which provides information to a user terminal (see figure 9, references 61, 64, 65, and 67; and see column 9, lines 17-28), said server comprising:

a database for retaining a plurality of pieces of bubble data (see figure 9, reference 67c), each of the bubble data pieces including:

a piece of spatial range information, which specifies a spatial range in a space and includes a latitude of an object, a longitude thereof, an altitude thereof and a bubble diameter thereof in the space (see column 4, lines 13-16; and see column 5, lines 41-58), and

an address associated with the spatial range information piece and linked to a piece of service information relating to the object (see column 7, lines 38-42);

an extracting section, responsive to a piece of positional information that is transmitted from the user terminal and includes a latitude of the user terminal, a longitude thereof, an altitude thereof, a direction thereof and an inclination angle thereof, for retrieving from said database a spatial range information piece whose spatial range includes a position that accords with the positional information piece, and extracting an address associated with the retrieved spatial range information from said database (see column 2, line 62 through column 3, line 4; and see column 4, lines 13-16); and

a providing section for providing the user terminal with a service information piece linked with the address extracted bar said extracting section (see column 3, lines 23-26; and see claim 1, where “providing section” is read on “display”).)

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As to claim 3, Maruyama et al teaches a server for use in a system which provides information to a user terminal (see figure 9, references 61, 64, 65, and 67; and see column 9, lines 17-28), said server comprising:

- a database for retaining a plurality of pieces of bubble data (see figure 9, reference 67c), each of the plural bubble data pieces including:

- a piece of spatial range information, which specifies a spatial range in a space and includes a latitude of an object, a longitude thereof, an altitude thereof and a bubble diameter thereof in the space (see column 4, lines 13-16; and see column 5, lines 41-58), and

- a uniform resource locator, which is associated with the spatial range information piece and is linked to a piece of service information related to the facility (see figure 9, reference 65; and see column 3, lines 44-47, where “uniform resource locator” is read on “Internet/Intranet”);

- an extracting section, responsive to a piece of positional information that is transmitted from the user terminal and includes a latitude of the user terminal, a longitude thereof, an altitude thereof, a direction thereof and an inclination angle thereof, for retrieving from said database a spatial range information piece whose spatial range includes a position that accords with the positional information piece, and extracting a uniform resource locator associated with the retrieved bubble data piece from said database (see column 2, line 62 through column 3, line 4; and see column 4, lines 13-16); and

- a providing section for providing the user terminal with a service information piece linked with the uniform resource locator extracted by said extracting section

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(see column 3, lines 23-26; and see claim 1, where “providing section” is read on “display”.)

As to claim 4, Maruyama et al teaches further comprising a web information outputting section for holding user information and an address generating section for generating an address retaining said user information held in said web information output section (see figure 9, reference 65; and see column 3, lines 44-47; and see column 9, lines 21-39.)

As to claim 5, Maruyama et al teaches a server for use in a system which provides information to a user terminal (see figure 9, references 61, 64, 65, and 67; and see column 9, lines 17-28), said server comprising:

a database for retaining a plurality of pieces of bubble data (see figure 9, reference 67c), each of the bubble data pieces including:

a piece of spatial range information, which specifies a spatial range in a space and includes a latitude of an object, a longitude thereof, an altitude thereof and a bubble diameter thereof in the space (see column 4, lines 13-16; and see column 5, lines 41-58), and

an address associated with the spatial range information piece and linked to a piece of message information retained in a range of the bubble diameter (see column 3, line 44-57; and see column 4, lines 13-39);

an extracting section, responsive to a piece of positional information that is transmitted from said user terminal and includes a latitude of said user terminal, a

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longitude thereof, an altitude thereof, a direction thereof and an inclination angle thereof, for retrieving from said database a spatial range information piece whose spatial range includes a position that accords with the positional information piece, and extracting a message information piece associated with the retrieved bubble data piece from said database (see column 2, line 62 through column 3, line 4; and see column 4, lines 13-16); and

a providing section for providing the user terminal with the message information extracted by said extracting section (see column 3, lines 23-26; and see claim 1, where “providing section” is read on “display”).)

As to claim 6, Maruyama et al. teaches wherein the database sets an address based on the spatial range information as an electronic mail address, and retains the spatial range information in corresponding relation to the electronic mail address (see column 8, lines 20-24).

As to claim 9, Maruyama et al. teaches, wherein the database is designed to sequentially update the bubble diameter of the bubble data on the basis of the positional information transmitted from a moving object (see column 5, lines 15-17; and see column 6, lines 40-50).

As to claim 11, Maruyama et al. teaches a user terminal for use in a system which provides information to the user terminal, the user terminal comprising:

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a detecting section for detecting positional information including a latitude of an object, a longitude thereof, an altitude thereof, a direction thereof and an inclination angle thereof (see column 3, lines 5-14; and see column 5, lines 59 through column 6, line 9);

a transmitting section for transmitting the positional information, detected in the detecting section, to a server (see column 5, line 59 through column 6, line 9);

a receiving section for receiving, in connection with the positional information transmitted from the transmitting section, specified service information corresponding to specified spatial range information including the positional information, of spatial range information comprising a latitude of an object, a longitude thereof, an altitude thereof and a bubble diameter thereof in a three-dimensional space transmitted from the server (see column 6, lines 9-15; and see column 5, lines 59 through column 6, line 9); and

a displaying section for displaying the specified service information received in the receiving section (see column 6, lines 23-26).

As to claim 16, Maruyama et al teaches user terminal for use in a system which provides information to said user terminal, said user terminal comprising:

a detecting section for detecting a piece of positional information about an object (see column 3, lines 5-14; and see column 7, line 62 through column 8, line 1);

a transmitting section for transmitting said positional information piece detected in said detecting section to a server (see column 5, line 59 through column 6, line 9; and see column 8, lines 18-24);

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a receiving section for receiving a piece of service information transmitted from said server in response to the positional information from said transmitting section, the service information piece being associated with a spatial range information, which specifies a spatial range including a position according with the positional information in a space; a displaying section for displaying the service information received by said receiving section (see column 6, lines 9-15); and

a voice guide section for conducting a guide using a speech file to a place relating to the service information, received by said receiving section (see column 6, lines 41-43.)

As to claim 17, Maruyama et al teaches an information providing service system which has a server and a user terminal and provides information from said server to said user terminal (see figure 9, references 64, 65, and 67), said server comprising:

a database for retaining a plurality of pieces of bubble data, each of the bubble data pieces having a piece of spatial range information, which specifies a spatial range in a space, and a piece of retrieval information, which is associated with the spatial range information piece and is linked to a piece of service information (see figure 9, reference 67c),

an extracting section, responsive to a piece of positional information transmitted from the user terminal, for retrieving from said database a spatial range information piece whose spatial range includes a position that accords with the positional information piece, and extracting a retrieval information piece associated with the

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retrieved spatial range information piece from said database (see column 2, line 62 through column 3, line 4), and

a providing section for providing the user terminal with a service information piece linked with the retrieval information extracted by said extracting section (see column 3, lines 23-26; and see claim 1, where “providing section” is read on “display”);

said user terminal comprising

a detecting section for detecting a piece of positional information about an object (see column 3, lines 5-14),

a transmitting section for transmitting said positional information piece detected in said detecting section to a server (see column 5, line 59 through column 6, line 9),

a receiving section for receiving the service information piece transmitted from said server in response to the positional information from said transmitting section (see column 6, lines 9-15), and

a displaying section for displaying the service information received by said receiving section (see column 6, lines 23-26.)

As to claim 18, Maruyama et al. teaches, wherein the transmitting section transmits, to the server, a user's viewing direction detected on the basis of an inclination angle of the user terminal with respect to a horizontal line (see column 4, lines 29-30), while the server retrieves a desired subject on the basis of the viewing direction (see column 5, line 59 through column 6, line 26).

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As to claim 19, Maruyama et al teaches an information providing service method for use in a system which has a server and a terminal and provides information from said server to said user terminal, wherein said server includes a database for retaining a plurality of pieces of bubble data, each of the bubble data pieces having a piece of spatial range information, which specifies a spatial range in a space, and a piece of retrieval information, which is associated with the spatial range information piece and is linked to a piece of service information (for the above teachings, the applicant is directed to the remarks and discussions made in claims 1-3, 5, 11, and 15-18 above) said method comprising:

a measuring step in which said user terminal measures positional information including its own latitude, longitude, altitude, direction and inclination angle (see column 4, lines 13-39);

a measured information transmitting step in which said user terminal transmits, to said server, said positional information measured in said measuring step and a retrieval condition (see column 5, line 59 through column 6, line 24; and see column 5, lines 44-48);

a retrieving step in which responsive to said positional information transmitted in said measured information transmitting step, said server retrieves from said database a service information piece whose spatial range includes a position that accords with the positional information piece, and extracts a retrieval information piece associated with the retrieved spatial range information piece from said database (see column 5, line 59 through column 6, line 26; and see column 7, line 43 through column 8, line 9); and

a retrieval result notifying step in which said server notifies said user terminal of the service information extracted in said retrieving step (see column 8, lines 1-9.)

As to claim 26, Maruyama et al. teaches an information providing service method, further comprising, after the retrieval result notifying step, a selected information transmitting step in which the user terminal transmits, of the plurality of specified service information notified in the retrieval result notifying step, service information selected by a user to the server and a displaying step in which the user terminal displays the service information selected in the selected information transmitting step (see column 3, lines 23-26).

As to claim 27, Maruyama et al. teaches an information providing service method for use in a system which provides information to a user terminal, the method comprising:

a measuring step in which the user terminal measures positional information including its own latitude, longitude, altitude, direction and inclination angle (see column 4, lines 13-39);

a measured information transmitting step in which the user terminal transmits the positional information, measured in the measuring step, to a server (see column 5, line 59 through column 6, line 24); and

a registering step in which the server writes, in a database, the positional information transmitted in the information transmitting step and information on a

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subject to be retrieved (see column 6, line 24-25, where “registering” is read on “stored”).

As to claim 28, Maruyama et al. teaches, wherein the measuring step is made such that the user terminal is aligned with an information presenting tower forming the subject to be retrieved (see column 4, lines 14-22, where “information presenting tower” is read on “GPS”), and the information transmitting step is made to transmit a desired message inputted by a user (see column 5, line 59 through column 6, line 15).

As to claim 29, Maruyama et al. teaches, wherein the retrieval result notifying step is made to give, to a user, information including characters, images or voice on a subject to be retrieved (see column 3, line 64 through column 4, line 12, where “characters, images or voice” is read on “entire map data” or “ movies, entertainment and business events, restaurants, etc.”).

As to claim 30, Maruyama et al. teaches an information providing service method for use in a system which provides information to a user terminal, the method comprising:

a map information acquiring step in which a communication terminal acquires map information (see column 10, lines 3-6);

a service providing place selecting step in which the communication terminal selects a desired service providing place from the map information acquired in the map information acquiring step (see column 5, lines 44-48); and

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a generating step in which a server connected through a network to the communication terminal generates bubble data in association with the place selected in the service providing place selecting step (see column 5, line 59 through column 6 line 26).

As to claim 31, Maruyama et al teaches wherein said piece of spatial range information, specifies a spatial range in a two-dimensional space (see column 4, lines 23-39.)

As to claim 32, Maruyama et al teaches wherein said piece of spatial range information, which specifies a spatial range in a three-dimensional space (see column 4, lines 34-39.)

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maruyama et al. (U.S. Patent No. 6,748,317 B2) in view of Gaspard, II (U.S. Patent No. 6,411,897 B1).

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As to claim 7, Maruyama et al. does not teach:

wherein the database retains, as the bubble data, service information on a public transportation terminal and information on transportation time.

Gaspard, II teaches scheduling, in real time, freight and passenger transportation (see column 1, lines 23-25) in which he teaches wherein the database retains, as the bubble data, service information on a public transportation terminal and information on transportation time (see column 3, line 62 through column 4, line 9; and see column 10, lines 36-51; and see figure 3e, where “bubble data” is read on “vehicle positioning data”).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Maruyama et al. to include wherein the database retains, as the bubble data, service information on a public transportation terminal and information on transportation time.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Maruyama et al. by the teachings of Gaspard, II, because wherein the database retains, as the bubble data, service information on a public transportation terminal and information on transportation time would result in “using a vehicle that can simultaneously transport both passengers and freight, thereby ensuring the profitability of the route with fees charged for transportation of freight while servicing the transportation needs of passengers in these outlying areas”, as taught by Gaspard, II (see column 1, lines 34-38).

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As to claim 8, Maruyama et al., as modified, does not teach:

wherein the database updates the information on transportation time according to the present time.

Gaspard, II teaches scheduling, in real time, freight and passenger transportation (see column 1, lines 23-25) in which he teaches wherein the database updates the information on transportation time according to the present time (see column 6, lines 39-48; and see column 10, lines 36-51; and see column 7, line 32 through column 8, line 30).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Maruyama et al. to include wherein the database updates the information on transportation time according to the present time.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Maruyama et al. by the teachings of Gaspard, II, because wherein the database updates the information on transportation time according to the present time would result in updating “the transportation schedule in real-time based on changes to the transportation needs of the serviced communities” and “allowing for new unserved or underserved passenger and freight routes to be added on a real-time basis as either becomes available on the route and the schedule is constantly updated as passenger and freight requirements dictate”, as taught by Gaspard, II (see column 1, lines 59-61; and see column 3, lines 34-38).

Allowable Subject Matter

9. Claims 15 is allowed over the prior art made of record.

10. The following is a statement of reasons for allowance:

The prior art of record does not disclose, teach, or suggest the claimed limitations of (in combination with all other features in the claim):

a hand-in-use discriminating section for judging whether a user's hand being used is the right hand or the left hand by detecting the number of fingers touching, on each of the right and left sides of said housing;

wherein said hand-in-use discriminating section judges the user's hand is the right hand when four fingers are detected on the left side of said housing and one finger is detected on the right side of said housing as facing said displaying section, and Judges the user's hand is the left hand when one finger is detected on the left side of said housing and four fingers are detected on the right side of said housing as facing said displaying section, as claimed in amended independent claim 15.

11. Claim 20-25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

12. The following is a statement of reasons for the indication of allowable subject matter:

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The prior art of record does not disclose, teach, or suggest the claimed limitations of (in combination with all other features in the claim):

wherein said retrieving step includes:

an address extracting step of selecting a third information bubble from said second information bubble, extracted in said extracting step, and of extracting a uniform resource locator corresponding to said third information bubble; and

a selecting step of selecting and outputting said specified service information corresponding to said uniform resource locator extracted in said address extracting step, as recited in dependent claim 20.

Claims 21-25 are objected to as dependents of objected to dependent claim 20.

Response to Arguments

13. Applicant's arguments filed on 29-September-2005 with respect to the rejected claims in view of the cited references have been fully considered but they are moot in view of the new grounds for rejection.

Conclusion

14. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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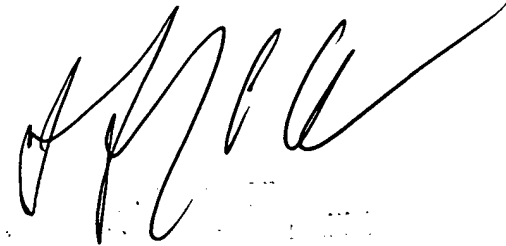
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

15. Any inquiries concerning this communication or earlier communications from the examiner should be directed to Tony Mahmoudi whose telephone number is (571) 272-4078. The examiner can normally be reached on Mondays-Fridays from 08:00 am to 04:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin, can be reached at (571) 272-4146.

tm

December 12, 2005

A handwritten signature in black ink, appearing to read 'Tony Mahmoudi', is located in the bottom right corner of the page. The signature is stylized and cursive.